

TODD KIM
Acting Assistant Attorney General
Environment and Natural Resources
Division
United States Department of Justice

Arwyn Carroll (MA Bar 675926)
Natural Resources Section
P.O. Box 7611, Washington, D.C.
20044-7611
Ph: (202) 305-0465;
Fax: (202) 305-0506
arwyn.carroll@usdoj.gov

Counsel for Federal Defendants

Melissa A. Hornbein
Western Environmental Law Center
103 Reeder's Alley
Helena, Montana 59601
(406) 708-3058
hornbein@westernlaw.org

Shiloh S. Hernandez
Earthjustice Northern Rockies Office
313 East Main Street
P.O. Box 4743
Bozeman, Montana 59772-4743
(406) 586-9692 ext. 1929
shernandez@earthjustice.org

Counsel for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

WESTERN ORGANIZATION OF
RESOURCE COUNCILS, *et al.*,

Plaintiffs,

v.

U.S. BUREAU OF LAND
MANAGEMENT,

Defendant, and

STATE OF WYOMING,

Intervenor Defendant.

Case No. 4:20-cv-00076-BMM-JTJ

JOINT STATUS REPORT

Pursuant to the Court's December 7, 2022 Order (ECF No. 83) and April 6, 2023 Text Order (ECF No. 85), Plaintiffs and Federal Defendants provide the following report on the status of their negotiations regarding Plaintiffs' request for fees and costs in this case. Plaintiffs and Federal Defendants have finalized a settlement for Plaintiffs' claims on fees and costs that fully resolves Plaintiffs'

pending motion (ECF No. 80), and Plaintiffs are currently awaiting payment. That settlement agreement is attached as Exhibit A to this Joint Status Report. When payment is received, Plaintiffs will move to dismiss their pending motion (ECF No. 80), in accordance with Paragraph 3 of Exhibit A. The parties request that the stay continue for an additional 30 days, until May 26, 2023 *or* until Plaintiffs move to dismiss their pending motion, whichever occurs earlier. In the unlikely event payment has not issued before the next status report is due, the Parties will at that time file an additional status report updating the Court on the status of payment processing.

DATED: April 26, 2023

Respectfully submitted,

TODD KIM,
Deputy Assistant Attorney General
Environment & Natural Resources Division

/s/ Arwyn Carroll
ARWYN CARROLL (MA Bar 675926)
Trial Attorney, Natural Resources Section
United States Department of Justice
Environment and Natural Resources Div.
P.O. Box 7611
Washington, D.C. 20044-7611
Phone: (202) 305-0465
Fax: (202) 305-0506
arwyn.carroll@usdoj.gov

LUTHER L. HAJEK (CO Bar 44303)
Trial Attorney, Natural Resources Section
United States Department of Justice

Environment and Natural Resources Div.
999 18th St., South Terrace, Suite 370
Denver, CO 80202
Phone: (303) 844-1376
Fax: (303) 844-1350
luke.hajek@usdoj.gov

JESSE LASLOVICH
United States Attorney

MARK STEGER SMITH
Assistant U.S. Attorney
U.S. Attorney's Office
2601 Second Avenue North, Suite 3200
Billings, MT 59101
Phone: (406) 247-4667
Fax: (406) 657-6058
mark.smith3@usdoj.gov

Counsel for Federal Defendant

/s/ Melissa Hornbein
Melissa A. Hornbein
Western Environmental Law Center
103 Reeder's Alley
Helena, Montana 59601
(406) 204-4861
hornbein@westernlaw.org

Shiloh S. Hernandez
Earthjustice
313 East Main Street
P.O. Box 4743
Bozeman, MT 59772-4743
(406) 586-9649 shernandez@earthjustice.org

Counsel for Plaintiffs